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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hancock et al.
Title: Vehicle Seat Having an Electronic Control System
Appl. No.: 10/501,372
Filing Date: 07/14/2004
Examiner:
Art Unit: 3636

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
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(Express Mail Label Number)	(Date of Deposit)
Carolyn Simpson	
(Printed Name)	
	
(Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

DE 198 28 217, DE 196 49 587, and DE 40 34 588 were cited as being relevant in an international search report.

DE 198 28 217 is related to a seat with adjustable settings for the rear in a vehicle with a seat base (6) with a seat back (2) hinged (2a) on the rear. The actual seat back hinge (3a) is offset from the hinge connection to the seat for rake adjustment.

DE 196 49 587 relates to a seat that has an adjustable seat pad and backrest, and a seat height adjuster mechanism. The length (L) of the seat pad surface (7) is adjustable in longitudinal vehicle direction dependant upon the seat height adjuster, in inverse proportion to the seat height (H). When moved into a higher position, the seat pad is moved backwards relative to the backrest (5) of the joint mechanism (2,3) of the height adjuster (4). The backrest is connected to the height adjuster for adjustment in inverse proportion to seat height adjustment, of the vertical distance (A) of a central curved backrest section (6) relative to the seat pad surface.

DE 40 34 558 relates to a microcomputer controller (40) that provides operation of a motor (12) to adjust the position of a road vehicle seat. The motor has an associated position detector (13) that provides feedback to the controller. The required seat position may be determined and the position can be stored in memory (18). When accessed, memory commands are generated for output to the motor. A voltage monitoring (20) and braking control stage (22) ensure safe operation. As the target position is approached the voltage is progressively reduced to achieve a smooth stop. This configuration avoids sudden shock in stopping.

JP 58-76336's purpose is to make it possible to easily get off a car, by automatically energizing a seat sliding mechanism with the use of an electronic control unit for retracting the seat rearward when both conditions of vehicle stopping and door opening are established. A driver's seat 10 having a seat base 11 and a seat back 12, is incorporated therein with seat position setting mechanisms such as a seat sliding mechanism, etc., and an electronic control unit for controlling the seat position setting mechanisms. The opening of an ignition switch or the detection of zero vehicle speed, which represents vehicle stopping, and the opening of a door are read by the electronic control unit. A drive for the seat sliding mechanism is energized for retracting the seat rearward when both conditions are established, thereby the vehicle getting-in and -off become easier.

Applicants note that a chair of the type described in U.S. Patent No. 6,394,549 was configured so that the base assembly moves forward or backward 1.5 mm per degree of recline or incline, respectively, of the back frame, and, for the purposes of this patent application, should be considered prior art under 35 U.S.C. § 102(b).

RELATED APPLICATIONS

This application is related to U.S. Provisional Patent Application No. 60/437,804, filed on January 3, 2003 and corresponding PCT Application No. PCT/US03/19174, entitled "Automotive Seat with Control System," published as WO 04/062961.

Some of the documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date October 13, 2004

By Scott C. Nielson

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: October 13, 2004

(Use as many sheets as necessary)

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of

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Complete if Known

Application Number	10/501,372
Filing Date	07/14/2004
First Named Inventor	Robert L. Hancock
Group Art Unit	3636
Examiner Name	
Attorney Docket Number	026032-4722

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,460,934	B1	Langer et al.	10/08/2002	
	A2	6,394,549	B1	DeKraker et al.	05/28/2002	
	A3	6,195,603	B1	Gauger et al.	02/27/2001	
	A4	6,064,932		Francois	05/16/2000	
	A5	6,055,473		Zwolinski et al.	04/25/2000	
	A6	6,030,043		Habedank	02/29/2000	
	A7	5,887,949		Kodaverdian	03/30/1999	
	A8	5,812,399		Judic et al.	09/22/1998	
	A9	5,748,473		Breed et al.	05/05/1998	
	A10	5,717,300		Baloche et al.	02/10/1998	
	A11	5,636,898		Dixon et al.	06/10/1997	
	A12	5,602,425		Wilhelmi et al.	02/11/1997	
	A13	5,497,326		Berland et al.	03/05/1996	
	A14	5,319,248		Endou	06/07/1994	
	A15	5,253,138		Droulon et al.	10/12/1993	
	A16	5,207,451		Furuse et al.	05/04/1993	
	A17	5,126,640		Leroy	06/30/1992	
	A18	5,038,085		Gmeiner et al.	08/06/1991	
	A19	4,881,020		Hida et al.	11/14/1989	
	A20	4,852,934		Yasuda et al.	08/01/1989	
	A21	4,717,203		Meiller	01/05/1988	
	A22	4,689,537		Mizuta et al.	08/25/1987	
	A23	4,547,718		Ratzel et al.	10/15/1985	
	A24	4,456,861		Ratzel et al.	06/26/1984	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A25	WO	2004/062961	A1	Hancock et al.	07/29/2004		
	A26	DE	198 28 217	A1	Habedank	07/01/1999		
	A27	DE	196 49 587	A1	Specht	06/04/1998		
	A28	DE	40 34 558	A1	Ogasawara	05/07/1995		
	A29	JP	58-76336	A	Fujie et al.	05/09/1983		

001.1713024.1

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: October 13, 2004 (use as many sheets as necessary)				Complete if Known	
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				Group Art Unit	3636
				Examiner Name	
				Attorney Docket Number	026032-4722
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A30	International Search Report for Application No. PCT/US 03/04085, 3 pages.	

001.1713024.1

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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